IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1380 OF 2005
IN
SUMMONS FOR JUDGMENT NO. 595 OF 2003
IN
SUMMARY SUIT NO. 362 OF 2003

Durgadas T. Mulchandani.] .. Plaintiff
Versus
Samarth Securities Handling Systems]
Pvt. Ltd. & Anr.] .. Defendants

Ms. Kavita Lalwani for the plaintiff.

None for the defendants.

CORAM: ANOOP V. MOHTA, J.

DATED: 18TH MARCH, 2006

P.C. :

. Considering the averments made in this Notice of Motion, I am inclined to set aside the order of dismissal dated 4th April, 2005, dismissing Summons for Judgment No.595 of 2003 for default. This Notice of Motion is allowed in terms of prayer clauses (a), (b) and (c). However, this will be subject to cost of Rs.1,000/- to be deposited with the Maharashtra State Legal Services Authority within two weeks from today.

2. Notice of Motion disposed of accordingly.

Sd/-

[ANOOP V. MOHTA, J.]